

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

ROBERT YERGOVICH, INDIVIDUALLY  
AND ON BEHALF OF ALL OTHERS  
SIMILARLY SITUATED,

Plaintiff,

v.

Case No. 1:17-cv-00865-TSE-JFA

SMALL COMMUNITY SPECIALISTS,  
L.L.C., *et al.*,

Defendants.

**MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM  
AND  
MOTION TO STRIKE AND/OR DISMISS CLASS ALLEGATIONS**

Defendants Small Community Specialists, L.L.C., Community Management Corporation, and Associations, Inc., by counsel, pursuant to Rules 12(b)(1), 12(b)(6) of the Federal Rules of Civil Procedure, move this Court to dismiss Plaintiff's Complaint against them with prejudice, and, in the alternative, pursuant to Rules 12(f) strike and/or dismiss Plaintiff's class allegations for reasons set forth in the accompanying Memorandum in Support of this Motion.

**SMALL COMMUNITY SPECIALISTS,  
L.L.C. D/B/A SELECT COMMUNITY  
SERVICES AND/OR ASSOCIA;  
COMMUNITY MANAGEMENT  
CORPORATION D/B/A ASSOCIA;  
AND ASSOCIATIONS, INC. D/B/A  
ASSOCIA**

By Counsel

s/ Danielle D. Giroux

VSF No. 45401

Attorney for Small Community Specialists, L.L.C. d/b/a Select Community Services and/or  
Associa, Community Management Corporation d/b/a Associa and Associations, I  
Harman, Claytor, Corrigan & Wellman  
1940 Duke Street, Suite 200  
Alexandria, Virginia 22314  
804-747-5200 - Phone  
804-747-6085 - Fax  
dgiroux@hccw.com

### **CERTIFICATE**

I hereby certify that on the 4<sup>th</sup> day of October, 2017, I electronically filed the foregoing  
with the Clerk of the Court using the CM/ECF system, which will send notification of such filing  
to the following:

Scott A. Surovell, Esq.  
Nathan D. Rozsa, Esq.  
Surovell Isaacs & Levy PLC  
4010 University Drive, Suite 200  
Fairfax, VA 22030  
703-277-9750 - Phone  
703-591-9285 - Fax  
ssurovell@surovellfirm.com  
nrozsa@surovellfirm.com

s/ Danielle D. Giroux

VSF No. 45401

Attorney for Small Community Specialists, L.L.C.  
d/b/a Select Community Services and/or Associa,  
Community Management Corporation d/b/a Associa  
and Associations, Inc. d/b/a Associa  
Harman, Claytor, Corrigan & Wellman  
1940 Duke Street, Suite 200  
Alexandria, Virginia 22314  
804-747-5200 - Phone  
804-747-6085 - Fax  
dgiroux@hccw.com